

Executive Registry

82-4298/13

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

NSDD-19

FROM:

Chairman, SECOM

EXTENSION

NO.

SECOM-D-170

STAT

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DATE

11 May 1982

TO: (Officer designation, room number, and building)

DATE

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COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.
ICS Registry

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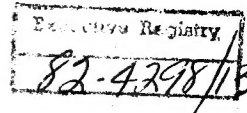
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18 MAY 1982

LOGGED

CMTE-18

DIRECTOR OF CENTRAL INTELLIGENCE
Security Committee



SECOM-D-179

11 May 1982

MEMORANDUM FOR: Director of Central Intelligence

VIA: Deputy Director of Central Intelligence
Director, Intelligence Community Staff

11 MAY 1982

FROM:
Chairman

STAT

SUBJECT: NSC Staff Secretary Memorandum Dated 29 April 1982,
Subject: Protection of Classified Information

1. Action Requested: Sign the attached memorandum to Judge Clark providing the comments requested by reference.

2. Background: On 2 February 1982, Judge Clark issued implementation guidance for NSDD-19. Part of this requested the Attorney General to convene an interagency group to study the effectiveness of existing statutes and procedures prohibiting unauthorized disclosures of classified information. Attorney General Smith sent this group's report to the President on 31 March. The report's recommendations were summarized in a draft National Security Decision Directive (NSDD). That draft NSDD was sent by reference to department and agency heads asking for comment. Your endorsement (Tab A) of the Attorney General's recommendations crossed reference in the mail. We now need to reiterate that endorsement and suggest desirable fine tuning of the draft NSDD.

3. Staff Position: We believe that adoption of the draft NSDD would improve the protection of classified information, and of intelligence information as a sub-set of it. Implementation of the NSDD's provisions would bring the "national security community" closer into line with Intelligence Community practice in terms of key security provisions. Examples:

a. Nondisclosure agreements - CIA, NSA and DIA require them as a condition of employment. The NSDD would require them as a condition of access to any and all classified information - at least on a prospective basis.

b. Prepublication review requirement - this is in the CIA employment agreement, and is also in the nondisclosure agreements most Community agencies require for access to SCI. The NSDD would make this an across-the-board requirement for access to SCI, and apply it to access to other classified intelligence information as well.

c. News media contacts - CIA regulates these strictly. Practice elsewhere in the Community varies. The NSDD would require all departments and agencies to regulate contacts with a view to stopping leaks.

d. Leak investigations - Community agencies cooperate reasonably well with one another on these. The NSDD would require investigative cooperation generally.

4. There are some editorial ambiguities in the draft NSDD. We have included suggested improvements for two of them in the draft DCI response. We would have liked the draft NSDD to have taken a stronger line on some areas. However, these areas were debated in the interagency group which developed this proposed directive, and the result is the most the "national security community" is prepared to concede now. Accordingly, we believe the Community's security interests are best served by endorsing the substance of the draft NSDD as written. We sought Security Committee member comments on the draft NSDD as well. Those members who have had chance to reply (OSD, Navy, Air Force and Justice) concur with the draft as written. Our approach to this issue has been coordinated with the Office of General Counsel and the Office of Security, DDA.

5. Recommendation: That you sign the proposed memorandum to Judge Clark (Tab B).



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Attachments

SUBJECT: NSDD-19

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